

AMENDED IN SENATE MARCH 24, 2011

**SENATE BILL**

**No. 659**

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**Introduced by Senator Hernandez**

February 18, 2011

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~~An act to amend Section 30100 of the Streets and Highways Code, relating to transportation facilities.~~ *An act to amend Sections 507 and 508 of the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to the San Gabriel Basin Water Quality Authority.*

LEGISLATIVE COUNSEL'S DIGEST

SB 659, as amended, Hernandez. ~~Toll bridges.~~ *San Gabriel Basin Water Quality Authority: board members.*

*The San Gabriel Basin Water Quality Authority Act authorizes the San Gabriel Water Basin Quality Authority to plan, finance, and implement groundwater remediation activities, as prescribed. The act requires the authority to be governed by a board composed of 7 members, consisting of 3 members appointed by the San Gabriel Valley Municipal Water District, the Upper San Gabriel Valley Municipal Water District, and the Three Valleys Municipal Water District; 2 members elected by specified cities within the San Gabriel Basin; and 2 producer members appointed by the San Gabriel Valley Water Association. The act prescribes 4-year terms of office for the board members.*

*This bill would require the members appointed by the water districts and the producer members to hold office at the pleasure of their respective appointing authorities, instead of holding a 4-year term of office, and would make conforming changes to the act.*

~~Existing law authorizes the Transportation Commission to direct the Department of Transportation to build or acquire toll bridges and other transportation facilities related to toll bridges, as specified.~~

~~This bill would make a nonsubstantive, grammatical change to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 507 of the San Gabriel Basin Water*  
2     *Quality Authority Act (Chapter 776 of the Statutes of 1992), as*  
3     *amended by Section 7 of Chapter 905 of the Statutes of 2000, is*  
4     *amended to read:*

5     Sec. 507. (a) ~~(1)~~ Except as provided in ~~subdivisions (b) and~~  
6     ~~(e)~~ *subdivision (b)*, the terms of the members *elected by the cities*  
7     shall commence on the first Monday in January and each member  
8     *elected by the cities* shall hold office for a term of four years and  
9     until the successor takes office.

10    (2) *Members and alternates appointed by the water districts*  
11    *pursuant to Section 503 and producer members and alternates*  
12    *appointed pursuant to Section 503.1 shall serve at the pleasure of*  
13    *their respective appointing authorities. This paragraph shall apply*  
14    *to the members and alternates holding office as of January 1, 2011,*  
15    *and to all subsequent members and alternates appointed pursuant*  
16    *to Sections 503 and 503.1.*

17    (b) With respect to the initial board members, ~~the terms of the~~  
18    ~~member appointed by the Three Valleys Municipal Water District~~  
19    ~~and term of the member elected by the cities without pumping~~  
20    rights shall expire on January 1, 1995, and ~~the terms~~ *term* of the  
21    ~~remaining members~~ *member elected by the cities with pumping*  
22    rights shall expire on January 1, 1997.

23    ~~(e) The terms of the initial producer members and alternates~~  
24    ~~shall commence on the first business day after the appointment of~~  
25    ~~the producer members and alternates. The terms of the initial~~  
26    ~~producer members and alternates shall expire on the fourth January~~  
27    ~~1 following commencement of their term.~~

28    *SEC. 2. Section 508 of the San Gabriel Basin Water Quality*  
29    *Authority Act (Chapter 776 of the Statutes of 1992), as amended*

1 *by Section 3 of Chapter 810 of the Statutes of 2001, is amended*  
2 *to read:*

3 Sec. 508. Any vacancy in the office of a member shall be filled  
4 as follows:

5 (a) (1) A vacancy in the office of a member or alternate who  
6 was appointed by a water district shall be filled by the appointing  
7 water district by a resolution adopted by a majority vote of the  
8 district governing board. The person appointed to fill the vacancy  
9 shall meet the qualifications applicable to the vacant office ~~and~~  
10 ~~shall serve for the remaining term of the vacant office.~~

11 (2) If a water district member or alternate water district member  
12 ceases to be a member of the board of directors of a water district,  
13 the office on the board occupied by that member shall be deemed  
14 vacant.

15 (b) (1) A vacancy in the office of a member or alternate who  
16 was elected by cities shall be filled by a special election called by  
17 the authority. Only those cities which elected the member or  
18 alternate to the office in which the vacancy has occurred are eligible  
19 to vote. Nominations and balloting shall be conducted in the same  
20 manner as a regular election, except that the date of the election  
21 and time periods shall be as prescribed by the authority. The  
22 member or alternate elected to fill a vacancy shall meet the  
23 qualifications applicable to the vacant office and shall serve for  
24 the remaining term of the vacant office.

25 (2) If a city member or alternate city member ceases to be a city  
26 council member, the office on the board occupied by that member  
27 shall be deemed vacant.

28 (c) A vacancy in the office of a producer member or alternate  
29 who was appointed by the board of directors of the Water  
30 Association shall be filled pursuant to Section 503.1.

31 ~~SECTION 1. Section 30100 of the Streets and Highways Code~~  
32 ~~is amended to read:~~

33 ~~30100. Whenever, in the opinion of the commission and of the~~  
34 ~~department, it is necessary or desirable to do so, the commission~~  
35 ~~shall authorize and direct the department to build or acquire for,~~  
36 ~~and in the name of, the state any or all of the following:~~

37 ~~(a) Toll bridges, tubes, or other toll highway crossings across~~  
38 ~~water, bays, arms of bays, straits, rivers, and streams in California,~~  
39 ~~both navigable and unnavigable, or across any stream that is a~~

1 ~~boundary line between California and any other state, or toll tunnels~~  
2 ~~through mountains in California.~~

3 ~~(b) Transportation facilities of any toll bridges or toll highway~~  
4 ~~crossings constructed or acquired, or to be constructed or acquired,~~  
5 ~~pursuant to this chapter.~~

6 ~~(c) Additional transportation facilities connecting or coordinated~~  
7 ~~with any such toll bridge or other highway crossing or the~~  
8 ~~transportation facilities thereon.~~

9 ~~The commission may authorize and direct the department to pay~~  
10 ~~for any such construction or acquisition out of any funds provided~~  
11 ~~or made available by this chapter. Whenever a project consists of~~  
12 ~~a tube or tunnel that will accommodate traffic served by a privately~~  
13 ~~owned ferry, the commission may acquire such ferry.~~